

# County of Santa Clara

Department of Environmental Health

Consumer Protection Division

1555 Berger Drive, Suite 300, San Jose, CA 95112-2716

Phone (408) 918-3400 www.ehinfo.org



## OFFICIAL INSPECTION REPORT

Facility FA0230119 - PHO MAI 2		Site Address 814 S BASCOM AV, SAN JOSE, CA 95128		Inspection Date 12/18/2019	
Program PR0330138 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name PHO CANH		Inspection Time 13:00 - 14:45
Inspected By THAO HA	Inspection Type ROUTINE INSPECTION		Consent By VINH KHUU	FSC Florence Khuu 02/21/21	

Placard Color & Score
<b>YELLOW</b>
<b>68</b>

RISK FACTORS AND INTERVENTIO	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification	X						
K02 Communicable disease; reporting/restriction/exclusion	X						S
K03 No discharge from eyes, nose, mouth	X						
K04 Proper eating, tasting, drinking, tobacco use	X						
K05 Hands clean, properly washed; gloves used properly		X		X			N
K06 Adequate handwash facilities supplied, accessible							
K07 Proper hot and cold holding temperatures		X		X			N
K08 Time as a public health control; procedures & records					X		N
K09 Proper cooling methods					X		
K10 Proper cooking time & temperatures	X						
K11 Proper reheating procedures for hot holding						X	
K12 Returned and reservice of food	X						
K13 Food in good condition, safe, unadulterated	X						
K14 Food contact surfaces clean, sanitized					X		S
K15 Food obtained from approved source	X						
K16 Compliance with shell stock tags, condition, display						X	
K17 Compliance with Gulf Oyster Regulations						X	
K18 Compliance with variance/ROP/HACCP Plan						X	
K19 Consumer advisory for raw or undercooked foods						X	
K20 Licensed health care facilities/schools: prohibited foods not being offered						X	
K21 Hot and cold water available	X						
K22 Sewage and wastewater properly disposed	X						
K23 No rodents, insects, birds, or animals	X						

GOOD RETAIL PRACTICE	OUT	COS
K24 Person in charge present and performing duties		
K25 Proper personal cleanliness and hair restraints		
K26 Approved thawing methods used; frozen food	X	
K27 Food separated and protected	X	
K28 Fruits and vegetables washed		
K29 Toxic substances properly identified, stored, used		
K30 Food storage: food storage containers identified	X	
K31 Consumer self service does prevent contamination		
K32 Food properly labeled and honestly presented		
K33 Nonfood contact surfaces clean	X	
K34 Warewash facilities: installed/maintained; test strips	X	
K35 Equipment, utensils: Approved, in good repair, adequate capacity		
K36 Equipment, utensils, linens: Proper storage and use	X	
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use		
K39 Thermometers provided, accurate		
K40 Wiping cloths: properly used, stored	X	
K41 Plumbing approved, installed, in good repair; proper backflow devices		
K42 Garbage & refuse properly disposed; facilities maintained		
K43 Toilet facilities: properly constructed, supplied, cleaned		
K44 Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing		
K45 Floor, walls, ceilings: built,maintained, clean	X	
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		
K48 Plan review		
K49 Permits available		
K58 Placard properly displayed/posted		

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## Comments and Observations

### Major Violations

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

**Inspector Observations: Observed employees conducting the following tasks without handwashing between:**

-Chef observed handling raw beef and then handling handles and ladles other utensils and clean plates and bowls.

-Employee observed busing tables and then delivering water cups and foods to customers and adding garnish to soups. Observed server holding cups by lip.

-Observed employee as moving for cash register and directly handling fried noddles and shrimp.

When instructed to wash hands in these situations, employees washed gloves without soap.

[CA] Employees shall wash BARE hands with soap, warm water, and paper towels prior to donning gloves.

Gloves shall be properly used and changed when required (Upon changing tasks, or touching face).

[COS] Employees were instructed to wash hands with soap and paper towels. Employees washed hands properly and donned new gloves.

Recommend employees some employees stop using gloves especially when constantly changing tasks o be awake of food accumulation on hands.

**\*\*REPEATED VIOLATION\*\***

Follow-up By  
12/23/2019

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

**Inspector Observations: MAJOR:**

1) Raw bones observed to in sink measured to be 77F. Per operator raw bones were taken out at 10:00 (2 hours and 15 minutes prior) thawed and are being prepped for soup and when cook is not busy after lunch rush bones will be cooked. [CA] Facility has 2 hours to diligently prep PHF. If employee switches task, employee must ensure PHF will maintain holding temperature (41F and below for cold holding or 135F and above for hot holding) . [COS] Raw bones were placed in boiling water immediately to prepare soup.

2) Flat of eggs observed under grill measured to be 72F. Per employee eggs were placed out for lunch service about 30 minutes prior and are used to order. [CA] Keep PHF cold at 41F and below for cold holding. PHF may be held out for use for up to 4 hours IF under TPHC and time marked but MUST be DISCARDED after hour hours. [COS] Eggs were placed in prep unit.

**MINOR:**

3) Bean sprouts in ice chest and on top of grill prep unit measured to be 45F and 49F Per operator bean sprouts were taken from reach in about 10 minutes prior.. [CA] Keep PHF cold at 41F and below for cold holding. PHF may be held out for use for up to 4 hours IF under TPHC and time marked but MUST be DISCARDED after hour hours. [COS] Bean sprouts on prep unit were placed back in reach in and ice was added to bean sprouts in cooler  
**\*\*REPEAT VIOLATION\*\***

Follow-up By  
12/23/2019

### Minor Violations

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

**Inspector Observations: Raw chicken observed to be thawing in standing water measuring 84F. Internally chicken measured to be 34F.**

[CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

**Inspector Observations: 1) Raw meats observed to be on top of forzen ready to eat items and frozen produce. Separate raw meats away from cooked ready to eat items and ensure raw meats are stored below ready to eat items.**

2) Food walk in freezer and cooler observed to be stored open without lids. Dry goods in back across from prep sink observed to be stored without lids on. [CA] Store foods covered to prevent contamination.

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

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**Inspector Observations: 1) Food in freezer to be haphazardly stacked on each other and on the floor. [CA] Keep foods in freezer at least 6" off floor in organized manner to prevent cross contamination and spilling.**

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

**Inspector Observations: Shelves especially under small countertop equipment (e.g. microwaves, rice cooker) observed to have food debris accumulation. Sides of prep units observed to be dirty.**

**[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.**

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

**Inspector Observations: Chicken and meats observed to be prepped inside 3-comp sink. [CA] Use prep sink to thaw and prep meats. Discontinue use of warewash sink as food prep sink. Wash clean and sanitize warewash sink prior to use for dishwashing.**

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

**Inspector Observations: 1) To-go containers without handles observed to be used as scoop in bulk container of Rice. Ice scoop observed to be stored with handle in ice. [CA] Provide scoops with handles. Store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.**

**\*\*REPEAT VIOLATION\*\***

**2) Foil and cardboard observed to be used line shelves. [CA] Discontinue use of foil and cardboard liners. Commercial liners may be provided to line shelves.**

**\*\*REPEAT VIOLATION\*\***

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

**Inspector Observations: Wiping cloths observed to be stored on countertops. [CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium). \*\*REPEAT VIOLATION\*\***

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

**Inspector Observations: Floors and walls observed to have food debris build up. [CA] Clean walls and floors and maintain in good condition.**

**\*\*REPEAT VIOLATION\*\***

## Performance-Based Inspection Questions

- Needs Improvement - Proper hot and cold holding temperatures.
- Needs Improvement - Hands clean/properly washed/gloves used properly.
- Needs Improvement - Time as a public health control; procedures & records.

## Measured Observations

Item	Location	Measurement	Comments
Bean sprouts	on top of prep unit	49.00 Fahrenheit	
Meat balls	Right cookline prep unit	41.00 Fahrenheit	
Wontons	Right cookline prep unit	31.00 Fahrenheit	
Bean sprouts	Cooler	48.00 Fahrenheit	
Raw sliced beef	right cookline prep unit	31.00 Fahrenheit	
Ambient temperature	walk in freezer	7.00 Fahrenheit	
Eggs	under grill	72.00 Fahrenheit	
Chicken	Freezer	4.00 Fahrenheit	
Warm water	handwash sink	100.00 Fahrenheit	
Hot water	3-comp sink	120.00 Fahrenheit	
Milk	1 door reach in front	41.00 Fahrenheit	
Shrimp	left cookline prep unit	41.00 Fahrenheit	
Chicken	3-comp sink	34.00 Fahrenheit	
Soup	Walk in	40.00 Fahrenheit	
Cooked beef	Walk in	39.00 Fahrenheit	
Raw bones	3-comp sink	77.00 Fahrenheit	

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## Overall Comments:

When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than **1/1/2020**. Any major change in menu or any change in ownership must have prior approval by this Department. This may require structural and/or equipment changes or remodeling to accommodate new operations.

## Legend:

[CA]	Corrective Action
[COS]	Corrected on Site
[N]	Needs Improvement
[NA]	Not Applicable
[NO]	Not Observed
[PBI]	Performance-based Inspection
[PHF]	Potentially Hazardous Food
[PIC]	Person in Charge
[PPM]	Part per Million
[S]	Satisfactory
[SA]	Suitable Alternative
[TPHC]	Time as a Public Health Control



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**Received By:** Vinh Khuu  
Manager

**Signed On:** December 18, 2019